

AMENDED IN ASSEMBLY MAY 30, 2006

AMENDED IN ASSEMBLY APRIL 26, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

## ASSEMBLY BILL

**No. 2148**

---

**Introduced by Assembly Member McCarthy**

February 21, 2006

---

An act to add Article 8.5 (commencing with Section 17075.50) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2148, as amended, McCarthy. School facilities: ~~small school districts~~; supplemental funding; project management assistance.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition.

This bill would authorize a school district to request supplemental funding assistance from the board in order to manage new construction or modernization projects approved by the board after January 1, 2007. The bill would authorize a school district with an approved request to contract with a county office of education, an architect, a general contractor, or a construction manager, except as provided, to provide the management services and would specify what the management services may include. The bill would require the board to adopt regulations to establish the supplemental allowances, as

~~provided~~ which would be prohibited from exceeding 5% of a specified amount.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 8.5 (commencing with Section  
2 17075.50) is added to Chapter 12.5 of Part 10 of the Education  
3 Code, to read:

4  
5 Article 8.5. Project Management Assistance For ~~Small~~ School  
6 Districts  
7

8 17075.50. A school district may request supplemental  
9 funding assistance from the board in order to manage new  
10 construction or modernization projects of the school district that  
11 ~~is~~ *are* approved by the board pursuant to this chapter after  
12 January 1, 2007.

13 17075.52. (a) An eligible school district whose request has  
14 been approved by the board may contract with a county office of  
15 education, an architect, a general contractor, or a construction  
16 manager to provide the management services authorized by this  
17 article. The management services shall be for the purpose of  
18 providing assistance to the school district in the management of  
19 new construction or modernization projects approved by the  
20 board after January 1, 2007.

21 (b) The management services that a school district may  
22 contract for under an approved request include any of the  
23 following:

24 (1) Assistance in the selection of providers of services,  
25 including, but not limited to, any of the following:

26 (A) A design professional.

27 (B) A general contractor.

28 ~~(C) A design-build project provider.~~

29 ~~(D)~~

30 (C) A state-approved inspector.

31 ~~(E)~~

32 (D) A construction manager.

(2) Advice on the bidding process, including, but not limited to, any of the following:

- (A) Prequalification of bidders.
- (B) Development of a list of bidders.
- (C) Review of bidders.
- (D) Review of bid specifications.
- (E) Other services in the bid process.
- (F) Direct project management project review including the review of change orders and assistance with closeout audits and the certification of occupancy.

(c) If an approved school district chooses to contract with a third party for the management services, the third party shall not have a contract with the school district to provide any of the following construction services:

- (1) Design professional.
- (2) General contractor.
- ~~(3) Design-build project provider.~~
- ~~(4)~~
- (3) State-approved inspector.
- ~~(5)~~
- (4) Construction manager.

17075.54. The board shall adopt regulations establishing the appropriate supplemental allowance for purposes of this article, which shall ~~be based as a percentage of~~ *not exceed 5 percent of the* total new construction or modernization state grant plus the required ~~contribution amount of contribution of~~ *from* local funds.